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#12

In re Application of :
Gregory Stephanopoulos et al :
Serial No.: 10/076,106 : PETITION DECISION
Filed: February 12, 2002 :
Attorney Docket No.: MIN-P01-038 :

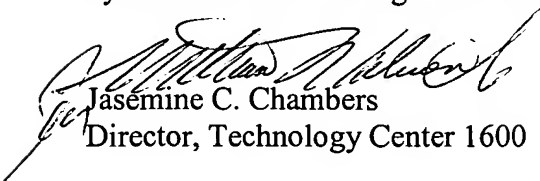
This is in response to the petition under 37 CFR 1.137(b) which is being treated as a petition under 37 CFR 1.181, filed August 20, 2004, for withdrawal of abandonment of the above identified application based on filing of a timely reply. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed an Office action to applicants on October 29, 2003, requiring sequence compliance and setting a one month shortened statutory period for reply. A Notice of Abandonment was mailed to applicants on August 10, 2004, when no reply was received. Applicants state that a reply was filed on November 17, 2003, and provide a copy thereof. In actuality, the Office action mailed by the examiner was unnecessary as applicants had earlier complied with sequence requirements, but such compliance was overlooked by the examiner. In view of the timely reply the Notice of Abandonment was mailed in error and is withdrawn and the application is restored to pending status with the mailing of this decision

The petition is **GRANTED**.

The application will be forwarded to the examiner for further action. As there is no fee for this petition, the petition fee paid of \$665.00 will be credited to applicants' Deposit Account No. 18-1945, as directed.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 703-308-3824 or by facsimile sent to the general Office facsimile number.


Jasmine C. Chambers
Director, Technology Center 1600